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APPLICATION NO.	FILIN	G DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/890,936	11/07/2001		Olle Korsgren	KORSGREN-1	9165
1444	7590	12/17/2003		EXAMINER	
		MARK, P.L.L.C.	JAGOE, DONNA A		
624 NINTH STREET, NW SUITE 300				ART UNIT	PAPER NUMBER
WASHINGTON, DC 20001-5303				1614	

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
Advisory Action	09/890,936	KORSGREN ET AL.					
riarioory rione	Examiner	Art Unit					
	Donna Jagoe	1614					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
THE REPLY FILED 27 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.							
PERIOD FOR REPLY [check either a) or b)]							
a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.							
2. The proposed amendment(s) will not be entered be	ecause:						
(a) \square they raise new issues that would require furthe	er consideration and/or search (s	see NOTE below);					
(b) they raise the issue of new matter (see Note be	elow);						
(c) \boxtimes they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or							
(d) they present additional claims without canceling a corresponding number of finally rejected claims.							
NOTE:							
3. Applicant's reply has overcome the following rejection	ion(s):						
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).							
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.							
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.							
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.							
The status of the claim(s) is (or will be) as follows:		•					
Claim(s) allowed:							
Claim(s) objected to:							
Claim(s) rejected: <u>1-11</u> .							
Claim(s) withdrawn from consideration:							
8. The drawing correction filed on is a) appro	oved or b) disapproved by th	ne Examiner.					
9. Note the attached Information Disclosure Statemen							
10. Other:							

Continuation of 5. does NOT place the application in condition for allowance because: While applicant asserts that the specification inherently points to natural vs. artificial encapsulation, it does not state that there is no artificial encapsulation/coating. There doesn't appear to be a defiinition of what is encompassed by a natural vs. artificial process of coating the cells. There is only a statement on page 1 line 21 bridging to page 2, line 6 that the prior art's artificial encapsulation may induce platelet activation, coagulation and complement activation. Further, with regard to the prior art, the rejections are maintained and hereby repeated. Applicant maintains that the islet cells are not encapsulated, but merely coated. This appears to be a difference in nomenclature only. Coating and encapsulating appear to be the same. Regarding the alleged use of non-artificial methods, applicants disclosure relys on Corline Systems AB wherein the heparin is immobilized (conjugated) with a polymer havine a substantially straight chained organic homo or hetero polymer. This does not appear to be a "non-artificial" process. Applicant has not clearly pointed out the novelty of the instant invention as represented by the instant claims.

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